IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1582 OF 2006

Central Bank employees Union ... Petitioner

V/s.

The Union of India & Ors. ... Respondents

Mr. Bhavesh Parmar for the petitioner.
Mr. G. Hariharan for the respondent No.1.
Mr. J.P. Cama, Sr. Counsel with Mr. S.V. Kher i/b.Sanjay Udeshi & Co. for respondent No. 3.
Mr. Meena Doshi for respondent No. 4.

CORAM : F.I. REBELLO &
ANOOP V. MOHTA,JJ.
DATED : 4th September, 2006

P.C.

. Rule. Heard forthwith.

2. It is case of the petitioner that they were enjoying canteen facility which is a part of the conditions of the services. They had raised a dispute before the Conciliation Officer, as can be witnessed from letter dated 26th May, 2004. In the conciliation proceeding failure report has been submitted to the appropriate Government. However, the appropriate Government till date has made no reference.

3. On the other hand on behalf of the respondents, their learned counsel points out to a

letter dated 25th July, 2003 in which it was contended on behalf of the petitioner herein, that canteen facility to staff is a staff welfare activity wherefore the management should provide 3% of the net profit of the Bank for staff welfare in accordance with the Govt. guidelines.

4. It needs to be noted that the premises on the 8th floor where the canteen facilities were being provided had to be surrendered pursuant to the order of the Court. That premises is no longer available. In these circumstances, the petitioner if still advised, to raise a demand with the management and on failure by management, to raise it before the Conciliation Officer. If the proceeding is taken up before the Conciliation Officer, conciliation officer will conclude the proceeding within eight week, after hearing the petitioners and respondents and take an appropriate decision in accordance with law.

5. On behalf of the petitioner, it was also pointed out that closure of canteen facility is in violation of provisions of the Industrial Disputes Act. Respondents deny that they have committed any violation.

6. With the above observations, the petition stands disposed of.

[F.I. REBELLO, J.]

[ANOOP V. MOHTA, J.]